

REMARKS

Claims 16-35 and 37-51 were pending in the present application. Applicants acknowledge with appreciation the Examiner's statement that objected claims 25, 26, 28, 29, 31, 32, 34 and 35 would be allowable if rewritten in independent form (Office Action, mailed June 10, 2010, at page 9). Accordingly, in order to expedite prosecution of the application and without conceding to the propriety of any rejections, Applicants have amended claims 17 and 18 to recite the limitations in objected claims 25 and 26, respectively. In view of the amendments to claims 17 and 18, dependent claims 19, 20, 22 to 24, 27 to 32, 37, 38, 40 and 49 have been amended and claims 21, 25 and 26 have been canceled, without prejudice. In addition, claim 16 has been canceled, without prejudice. The amendments to the claims are fully supported by the specification as filed and do not add new matter. New claim 52 was added. Support for amended claims 17 and 18 and new claim 52 can be found in the specification as originally filed, at, *e.g.*, page 11, lines 16 to 27, page 96, lines 5-10, page 101, lines 29-34 and page 31, lines 10-20. Applicants reserve the right to pursue to subject matter of the claims pending prior to the current amendments in the present application or a related application. Thus, claims 17-20, 22-24 and 27-52 will be pending upon entry of the amendments made herein.

The Rejections Under 35 U.S.C. § 103 Should Be Withdrawn

Claims 16, 19, 37-39, 41 and 44 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rana, U.S. Patent No. 6,503,713 ("Rana") in view of Gorski et al., 1987, J. Mol. Evol. 24: 236-251 ("Gorski"). Claims 16-24, 38, 39, 41-44, and 47-51 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beckmann *et al.*, WO 01/44516 ("Beckmann") in view of Rana and Gorski. Claims 27, 30 and 33 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beckmann in view of Rana, Gorski as applied to claims 16-24, 38, 39, 41-44, and 47-51, and further in view of Shiroki et al., *In Vitro* Translation Extracts for Tissue Culture Cells, Methods in Molecular Biology, 118, pages 449-458, 1999. Claim 40 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beckmann in view of Rana and Gorski as applied to claims 16-24, 38, 39, 41-47 and 47-51, and further in view of Yang et al., U.S. Patent No. 7,354,709. Claims 45 and 46 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beckmann in view of Rana as applied to claims 16-24, 38, 39, 41-44, and 47 -51, and further in view of

Berger *et al.*, U.S. Publication No. 2004/0162345. In view of the claim amendments, the rejections under 35 U.S.C. § 103(a) are moot and should be withdrawn.

CONCLUSION

Applicants believe that the present claims meet all the requirements for patentability. Consideration and entry of the foregoing amendments and remarks into the file of the application is respectfully requested. Withdrawal of all rejections and consideration of the amended claims are requested.

If any issues remain, the Examiner is urged to telephone the undersigned.

Respectfully submitted,

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